

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Yutong Jin,

Plaintiff,

-against-

Solomon Choi,

Defendant.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 5/4/2021

1:20-cv-09129 (MKV) (SDA)

**ORDER**

**STEWART D. AARON, United States Magistrate Judge:**

The Court has reviewed Plaintiff's requests for a subpoena, filed at ECF Nos. 60 and 61, as well as Plaintiff's April 30, 2021 Letter (ECF No. 62) seeking to compel compliance with an earlier subpoena served on Columbia University ("Columbia"). In the documents filed at ECF Nos. 60 and 61, Plaintiff seeks to subpoena certain of Defendant's medical records. No such subpoena is necessary, as the Court already has ordered Defendant to produce the requested records to Plaintiff. (*See* 4/23/2021 Order, ECF No. 51.)

With respect to the third-party subpoena served on Columbia (*see* Cert. Service, ECF No. 22), Plaintiff has not made a proper motion to compel compliance under Federal Rule of Civil Procedure 45. While Plaintiff references the content of the subpoena and Columbia's response in various filings (*see* Pl.'s 12/7/2020 Letter, ECF No. 7 (requesting subpoena and setting forth documents sought); Pl.'s 4/11/2021 Letter, ECF No. 48 (referencing Columbia's response)), she has not filed with the Court a copy of the actual subpoena or a copy of Columbia's response. Moreover, Plaintiff has not served Columbia with a copy of her motion to compel, such that Columbia may have an opportunity to respond. If Plaintiff wishes to pursue a motion to compel,

she must file a motion attaching the subpoena and the response she received from Columbia, serve the motion on Columbia and file proof of service on the docket.

**SO ORDERED.**

DATED: New York, New York  
May 4, 2021

A handwritten signature in black ink, reading "Stewart D. Aaron". The signature is written in a cursive, flowing style. The first name "Stewart" is written with a large, prominent "S". The last name "Aaron" is written with a large, prominent "A".

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STEWART D. AARON  
United States Magistrate Judge